

Case No. UNDT/GVA/2015/172 !"g#e\$% No. UNDT/201&/0&'

Introduction

- 1. B9 a::*)7a%)o\$ f)*e" o\$ 10 Se: %e#4e(20155 %+e A::*)7a\$%5 a s%aff #e#4e(of %+e U\$)%e" Na%)o\$s 3)g+ Co##)ss)o\$e(fo(Ref!gees ;<UN3CR=>5 7o\$%es%s %+e "e7)s)o\$)ss!e" 49 %+e 3)g+ Co##)ss)o\$e(o\$ 20 O7%o4e(201' \$o% %o :(o#o%e+e(f(o# %+e P15 %o %+e D11 *e-e* "!()\$g %+e 201? P(o#o%)o\$s Sess)o\$.
- 2. T+e Res: o\$"e\$% 70\$7e"es %+a% %+e A::*)7a\$%@s 7a\$")"a79 fo(:(o#o%)0\$% o %+e D11 *e-e* "!()\$g %+e 201? P(o#o%)o\$s Sess)o\$, as \$o% g)-e\$ f!** a\$" fa)(7o\$s)"e(a%)o\$. T+e: (o#o%)o\$ eAe(7)se fo(7a\$")"a%e

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- 1?. T+e A::*)7a\$\\@s:()\\$7):a* 7o\\e\\)o\\$s a(e:
 - a. T+e o\$*9 a"eF!a%e (e#e"9)s %+e (es7)ss)o\$ of %+e 7o\$%es%e" "e7)s)o\$ 49 %+e Res:o\$"e\$%5 as \$o f)\$a\$7)a* 7o#:e\$sa%)o\$ 7a\$ e*)#)\$a%e %+e #o(a* a\$"

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;4> Co#:e\$sa%)o\$ fo(+a(#5 s!::o(%e" 49 e-)"e\$7e5 ,+)7+ s+a** \$o(#a**9 \$o% eA7ee" %+e eF!)-a*e\$% of %, o 9ea(s@ \$e% 4ase sa*a(9 of %+e a::*)7a\$%. T+e D)s:!%e T()4!\$a* #a95 +o , e-e(5)\$ eA7e:%)o\$a* 7ases o("e(%+e :a9#e\$% of a +)g+e(7o#:e\$sa%)o\$5 a\$" s+a**:(o-)"e %+e (easo\$s fo(%+a% "e7)s)o\$.

1B. I\$ Rodriguez-Viquez5 %+e T()4!\$a* eAa#)\$e" %+e a , a(" of 7o#:e\$sa%)o\$ fo(a 7a\$")"a%e fo(:(o#o%)o\$%o %+e P15*e-e*)\$ %+e sa#e P(o#o%)o\$s Sess)o\$5 , +o , as e*)#)\$a%e")\$ %+e Se7o\$" Ro!\$" 49 %+e sa#e SPP. 3a-)\$g)"e\$%)f)e" se-e(a*:(o7e"!(a* f*a , s)\$ %+e Se7o\$" Ro!\$"5 %+e T()4!\$a* fo!\$" %+a% %+e e((o(s))\$ %+e)#:*e#e\$%a%)o\$ of %+e P(o#o%)o\$s Po*)79 , e(e so s)g\$)f)7a\$% %+a% %+e)()#:a7% o\$ / (. Ro"()g!e61V)F!e6@s 7+a\$7es fo(:(o#o%)o\$ 7o!*" \$o% 4e #eas!(e". 3o , e-e(5%+e T()4!\$a* fo!\$" %+a% %+e A::*)7a\$% +a" a (ea* 7+a\$7e fo(:(o#o%)o\$. T+e T()4!\$a* %+e(efo(e (es7)\$"e" %+e "e7)s)o\$ \$o% %o:(o#o%e / (. Ro"()g!e61V)F!e6 %o %+e P15 *e-e*. I\$ a77o("a\$7e ,)%+ a(%. 10.5;a> of)%s S%a%!%e5 %+e T()4!\$a* "e%e(#)\$e" a\$ a#o!\$% %+a% %+e Res:o\$"e\$% #a9 e*e7% %o:a9 as a\$ a*%e(\$a%)-e %o %+e (es7)ss)o\$ of %+e 7o\$%es%e" "e7)s)o\$5 , +)7+)% es%a4*)s+e" as fo**o , s:

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 $a*\$e(\$a\$)-e.\ Ne)\$+e(7a\$\$+e\ T()4!\$a*\ g(a\$\$\ a:(o\#o\$)o\$)\$se*f5\ as\ \$+)s\ \$9:e\ of\ "e7)s)o\$$ $fa**s\ ,\)\$+)\$\ \$+e\ ")s7(e\$)o\$\ of\ \$+e\ O(ga\$)6a\$)o\$.$

21. I\$ 7a*7!*a%)\$g %+e

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%o %+e o%+e(5 as o\$e :a\$e* #e#4e((a\$8e" +e(2" o!% of 'D fe#a*e 7a\$")"a%es a\$" a\$o%+e((a\$8e" +e('B\)+. 2o(%+e sa#e (easo\$s %+a% %+e9 7a\$\$o% 4e !se" %o (C!S%)f9 %+e "e7)s)o\$ \$o% %o se*e7% +e(fo(:(o#o%)o\$5 %+ese (a%)\$gs 7a\$\$o% 4e !se" e)%+e(%o s!4s%a\$%)a%e %+e A::*)7a\$%@s a(g!#e\$% %+a% s+e +a" 4e%%e(7+a\$7es %o 4e :(o#o%e" as s+e a"-a\$7e" %o %+e T+)(" Ro!\$".

- 2'. A*so5 a8)\$ %o / (.Ro"()g!e61V)F!e65 %+e A::*)7a\$% , as e*)g)4*e fo(:(o#o%)o\$ %+e fo**o,)\$g 9ea(5 as %+e P(o#o%)o\$s Po*)79 , as s%)**)\$ fo(7e a% %+e %)#e. T+!s5 %+e 7o\$%es%e" "e7)s)o\$ +a" a\$ effe7% o\$ +e(7a(ee(:(os:e7%s*)#)%e" %o o\$e 9ea(. I\$ %+)s 7o\$\$e7%)o\$5 %+e T()4!\$a* f)\$"s %+e A::*)7a\$%e\$ a(g!#e\$% %+a% %+e effe7%s of %+e !\$*a , f!* "e7)s)o\$ a(e a#:*)f)e" "!e %o %+e fa7% %+a% s+e)s 7*ose %o (e%)(e#e\$% !\$:e(s!as)-e. T+e A::*)7a\$%5 4o(\$ o\$ 1& De7e#4e(1DB05 , as 5' 9ea(s o*" a% %+e %)#e of %+e 7o\$%es%e" "e7)s)o\$5 %+!s s+e s%)** +a" B 9ea(s 4efo(e s+e 7o!*" (e%)(e ;a% %+e \$o(#a* (e%)(e#e\$% age of B2> o(D 9ea(s 4efo(e %+e #a\$"a%o(9 age of se:a(a%)o\$5 ,+)7+)s B5. 3e(a4)*)%9 %o 7o#:e%e aga)\$ fo(a:(o#o%)o\$ %o %+e D11 *e-e*)\$ %+e \$eA% :(o#o%)o\$s sess)o\$5 a% %+e e\$" of 20155 , as %+!s \$o% affe7%e" 49 a\$9 fo(%+7o#)\$g (e%)(e#e\$%.
- 25. T+e A::*)7a\$%0s a(g!#e\$% %+a% s+e +a" a 4e%%e(7+a\$7e of :(o#o%)o\$ as a fe#a*e 7a\$")"a%e)s a*so !\$:e(s!as)-e. e(se+o%(a)-3.66653()-3.66653(+-303.763(4)-144(()2)-144.371(()2)-144.3